



1 A P P E A R A N C E S

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1 MR. GHRIST: Yes. I saw that the  
2 response said, well, you didn't have a motion, so I  
3 went ahead and filed a motion, and I don't know that  
4 that's really important, but --

5 THE COURT: There is no affidavit or  
6 anything.

7 MR. GHRIST: -- but I went ahead and  
8 filed it so that it's on file, but there's no details  
9 in it because I don't have any of the discovery yet,  
10 but it is on file.

11 THE COURT: There is a motion now on  
12 file, but there's not much to it.

13 MR. FERGUSON: It does not meet the  
14 requirements for an injunctive hearing.

15 THE COURT: No, it doesn't. There's no  
16 doubt about that.

17 MR. GHRIST: I hope -- well, two  
18 things. One is that the standard is not the standard  
19 for an injunction. It's the standard in the Rules of  
20 Procedure for a postjudgment injunction for them to  
21 transfer dissipation of assets, which is whether the  
22 Court finds that it's necessary or not.

Under 621a, Appellate Rule 24, and to the official comments, discovery is allowed on the issue of whether the injunction should issue,

1 regardless of whether the bond is posted. Those are  
2 treated like two separate issues.

3 THE COURT: And this judgment has been  
4 suspended by a supersedeas bond, correct?

5 MR. GHRIST: Yes.

6 THE COURT: And this says any time  
7 after rendition of the judgment and so long as said  
8 judgment has not been suspended by the supersedeas  
9 bond. And it has been.

10 MR. GHRIST: Which rule are you  
11 reading?

12 THE COURT: 621a.

13 MR. GHRIST: Oh, yes, yes, that's  
14 correct. And then it says also at any time after  
15 rendition of judgment, either party may, for the  
16 purpose of obtaining information relevant to motions  
17 allowed by Texas Rules of Appellate Procedure 47 and  
18 49, footnote two, initiate and maintain discovery  
19 proceedings. So that is the exception there, the rule  
20 and then the exception right under --

21 THE COURT: Which part of 24 are we  
22 looking at?

23 MR. GHRIST: 24.1 -- sorry, 24.2(d).

24 MR. FERGUSON: Your Honor, if you also  
25 look at 24.4, because the only motions that are

1 Have a good day.

2 THE COURT: You, too.

3 (End of proceedings)

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1 C E R T I F I C A T E

2 THE STATE OF TEXAS X

3 COUNTY OF TARRANT X

4 I, Christina Fett, Official Court Reporter in  
and for the 141st District Court, State of Texas,  
5 County of Tarrant, do hereby certify that the above  
and foregoing contains a true and correct  
6 transcription of all portions of evidence and other  
proceedings requested in writing by counsel for the  
7 parties to be included in this volume of the  
reporter's record in the aforementioned cause, all of  
8 which occurred in open court or in chambers and were  
reported by me.

9

10 I FURTHER CERTIFY that this reporter's record  
of the proceedings truly and correctly reflects the  
exhibits, if any, admitted by the respective parties.

11

12 I FURTHER CERTIFY that I have no financial  
interest in the matters shown herein, and that I am  
not related to any of the parties or their counsel.

13

14 I FURTHER CERTIFY that the total cost for the  
preparation of this reporter's record of the  
proceedings is \$210.00 and was paid by the Plaintiff.

15

16 WITNESS MY OFFICIAL HAND this the 6th day of  
May, 2020.

17

18 /s/Christina Fett  
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